

KAVANAGH FLOOR AMENDMENT

HOUSE OF REPRESENTATIVES AMENDMENTS TO H.B. 2813

(Reference to the JUDICIARY Committee amendment)

1 Page 1, line 8, before "IN" insert "A."; strike "SHALL" insert "MAY"

2 Line 9, after "COMMIT" strike remainder of line; strike line 10, insert "  
3 COMMITTING OR IMMEDIATELY FLEEING FROM A FELONY CRIMINAL ACT AND AS A RESULT  
4 OF THAT ACT, ATTEMPTED ACT OR FLIGHT THE"

5 Between lines 12 and 13, insert:

6 "B. IN ANY CIVIL ACTION, THE FINDER OF FACT MAY FIND THE DEFENDANT NOT  
7 LIABLE IF THE DEFENDANT PROVES THAT THE DEFENDANT DID NOT ACT INTENTIONALLY  
8 AND THAT THE CLAIMANT WAS ATTEMPTING TO COMMIT, COMMITTING OR IMMEDIATELY  
9 FLEEING FROM A MISDEMEANOR CRIMINAL ACT AND AS A RESULT OF THAT ACT,  
10 ATTEMPTED ACT OR FLIGHT THE CLAIMANT WAS AT LEAST FIFTY PER CENT RESPONSIBLE  
11 FOR THE ACCIDENT OR EVENT THAT CAUSED THE CLAIMANT'S HARM."

12 Amend title to conform

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JOHN KAVANAGH

2813-f1-kavanagh  
3/17/08  
9:46 AM  
H:jjb